

Personnel

Employment
Regulations

Reduction-in-Force

PURPOSE:

- .01a Situations that may result in a reduction-in-force (RIF) include, but are not limited to,
- A reduction in funding,
 - A change of emphasis or redirection of programs, or
 - Completion of programs or projects resulting in the elimination of positions or requiring different qualifications and expertise from those possessed by current employees.

APPROVAL OF RIF:

- .01b The decision to conduct a RIF must be recommended by the cognizant Associate Director(AD), reviewed by the Director of Human Resources (DHR), and approved by the Deputy Director.

**DEFINITION OF RIF
CANDIDATE:**

- .01c A RIF candidate is a regular employee who is selected for termination because of RIF situations described in .01a.
- NOTE:** Short-term and limited-term employees may be terminated at any time under the procedures in AM 113.

SELECTION FOR RIF:

- .02a Selections for reduction-in-force are based on legitimate Laboratory business requirements and are governed by the Laboratory's nondiscrimination policy. See [AM 101](#).
- .02b To minimize the effect of a RIF on regular Laboratory employees, the Division first reviews the necessity for existing short-term and limited-term positions and for Affiliate and contractor services.
- .02c When it is necessary to select 1 or more employees for RIF from among a group of regular employees

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occupying comparable positions, the Division uses objective criteria to identify the RIF candidates. Where job performance is used as a criterion, the performance assessment should be consistent with other existing documentation such as annual performance appraisals.

- .02d Employees may not volunteer to be terminated by the Laboratory as part of a RIF nor may they volunteer to take the place of another employee who has been selected for termination as part of a RIF.

PROCEDURES:

- .03a RIF candidates are given at least 60 days prior written notice of the effective date of termination.

NOTE: The Personnel Services Division Office (PS-DO) provides appropriate notification to the Department of Energy (DOE) of RIFs involving 50 or more employees.

- .03b Detailed procedures vary depending upon the circumstances involved in each RIF. ✕ DHR provides procedures appropriate to each situation.

ASSISTANCE TO RIF CANDIDATES:

- .04a RIF candidates are given reasonable assistance in efforts to find other Laboratory positions at the same or equivalent pay ranges. ✕ Relocation efforts are the responsibility of the employee. The employee is assisted by his or her organization in coordination with the appropriate Employment Group (PS-1) Employment Representative.

- .04b Before the termination, RIF candidates are permitted to devote a reasonable amount of work time (as determined by the supervisor) to seeking other employment within or outside the Laboratory. Organizations with RIF candidates may provide those candidates with secretarial assistance in preparing résumés and employment applications.

- .04c Regular employees who are terminated because of a RIF are considered internal Laboratory applicants when applying for advertised vacancies during the first 9 months after termination.

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SEVERANCE PAY:

Eligibility

- .05 Regular full-time and part-time employees who are terminated because of a RIF may be eligible for severance pay as described below. Severance payments are not made to individuals whose employment is terminated because of
- Death,
 - Termination for cause,
 - Retirement (either service or disability), or
 - Voluntary resignation.
- EXCEPTION** — If a RIF candidate resigns or retires during the RIF notice period, a severance payment may still be made.

- .06 Severance payments are not made to a RIF candidate who refuses to transfer to a job with a salary range that is the same as or equivalent to that of the employee's present job. This applies to jobs within the Laboratory or elsewhere in the University of California system.

Amount of Severance Pay

- .07 Severance pay is computed based on the employee's basic salary rate and the employee's length of service, limited to the last period of continuous full-time or part-time regular Laboratory employment. All periods of leave without pay over 30 days are deducted from the length of service when determining severance pay.
- .08 **Severance Schedules** — Employees hired before October 1, 1987, receive the greater of *either* (1) accruals based upon eligible service under Severance Schedule A that were earned as of October 1, 1987, or (2) accruals based on Severance Schedule B for all eligible service. All other employees receive severance pay according to Schedule B.

Reduction-in-Force**Severance Payment Schedule A**

Length of Service	Severance Allowance
Less than 1.5 years	1 week's pay
1.5 years or more, less than 10.5	1 week's pay for each year of service
10.5 years or more	1 week's pay for each year of service through 10 years, plus 2 weeks' pay for each year of service in excess of 10 years, not to exceed a total of 52 weeks

Severance Payment Schedule B

Length of Service	Severance Allowance
2 years or less	2 weeks' pay
More than 2 years, less than 6	1 week's pay for each year of service
6 years or more	1 week's pay for each year of service through 6 years, plus 2 weeks' pay for each year of service in excess of 6 years, not to exceed a total of 39 weeks

**FORFEITURE OF
SEVERANCE PAY
UPON REHIRE:**

- .10 A severance payment terminates any employment agreement; the employee has no reemployment rights. However, if such an individual is proposed for rehire before expiration of the number of weeks for which severance payment has been made, the individual must agree in writing that the amount of the severance overpayment will be repaid to the Laboratory.